	ITED STATES I ASTERN DISTR Richmond Div	ICT OF VIRG	INIA SEP - 3 2009
JONATHAN LEE RICHES,)		CLERK, U.S. DISTRICT COURT
Plaintiff,)		Alloring
v.)))	civil Action No. 3	3:09CV357-HEH
MICHAEL VICK, et al.,)		
Defendants.)		

Plaintiff, a federal inmate, submitted this action and requested leave to proceed *in* forma pauperis. A prisoner is prohibited from proceeding *in forma pauperis*:

MEMORANDUM OPINION (Dismissing Action Without Prejudice)

[I]f the prisoner has, on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.

28 U.S.C. § 1915(g). Plaintiff has at least three actions or appeals that were dismissed as frivolous, malicious, or for failure to state a claim upon which relief could be granted. See Riches v. Karpinski, Nos. 3:08cv00347, 3:08cv00346, 2008 WL 2564785, at *1-2 (W.D. Wis. June 25, 2008). The delusional nature of Plaintiff's current complaint and his history of frivolous filings demonstrate that Plaintiff is not in imminent danger of serious

physical harm. See id. at *3 (noting, in Plaintiff's 1,834th lawsuit, that his allegations of imminent harm carried no weight). Accordingly, by Memorandum Order entered on July 1, 2009, the Court denied Plaintiff's request to proceed in forma pauperis and directed Plaintiff to submit the full filing fee within eleven (11) days of the date of entry thereof. Plaintiff has not complied with that Order. Accordingly, the action will be dismissed without prejudice.

An appropriate Order shall accompany this Memorandum Opinion.

Date: Sept 3 2005 Richmond, Virginia /s/
Menry E. Hudson
United States District Judge